



# City of Rowlett

## Meeting Minutes

### City Council

4000 Main Street  
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*City of Rowlett City Council meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary at 972-412-6109 or write PO Box 99, Rowlett, Texas, 75030-0099, at least 48 hours in advance of the meeting.*

Tuesday, March 2, 2010

5:30 P.M.

Municipal Building – 4000 Main Street

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item herein.

The City of Rowlett reserves the right to reconvene, recess or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

**Present: Mayor Harper, Mayor Pro Tem Maggiotto, Deputy Mayor Pro Tem Gottel, Councilmember Phillips, Councilmember Rushing, Councilmember Jackson and Councilmember Kilgore**

#### 1. CALL TO ORDER

Mayor Harper called the meeting to order at 5:30 p.m.

#### CONVENE INTO EXECUTIVE SESSION

Convened into Executive Session at 5:30 p.m.

#### 2. EXECUTIVE SESSION

- 2A. The City Council shall convene into Executive Session pursuant to the TEXAS GOVERNMENT CODE, §551.071 (Consultation with Attorney) and §551.087 (Economic Development) to seek legal advice and to deliberate on economic development incentives and financial prospects for Project FREE. (20 minutes)
- 2B. The City Council shall convene into Executive Session pursuant to the TEXAS GOVERNMENT CODE, §551.071 (Consultation with Attorney) to seek legal advice from the City Attorney regarding lease of Waterview Golf Course with American Golf Corporation. (35 minutes)

**Mayor Harper and Deputy Mayor Pro Tem Gottel left the meeting following the Executive Session.**

## RECONVENE INTO OPEN SESSION

Reconvened into open session at 6:33 p.m. with Mayor Pro Tem Maggiotto presiding.

### 3. WORK SESSION ITEMS (6:30 P.M.)

#### 3A. Joint Meeting with the Arts and Humanities Commission. (10 minutes)

Hugo Martinez, Chair of the Arts and Humanities Commission, gave the Council a brief overview of the Board's accomplished goals. Spoke concerning the photography, arts and writing contests, and the need for a Fine Arts Cultural Center.

Council stated the Commission is doing a good work for the community.

#### 3B. Update on the funding for the DART Art and Design Project. (10 minutes)

Staff gave an update regarding the DART Art and Design Project. Stated the Committee would meet again in approximately six weeks to see the artist's final renderings and a final update would be made to the City Council at that time.

#### 3C. Discuss High Weeds and Grass Fee Escalation (Master Fee Schedule). (15 minutes)

Staff spoke concerning the need for better compliance for non-residential properties within the City. Stated there were many repeat non-residential offenders and it was actually cheaper for the City to maintain their property instead of them maintaining their own. Stated the goal is to get better compliance from non-residential property owners to have them maintain their own properties. Suggested an escalating fee with a rolling calendar for offenders.

#### 3D. Discuss amending the High Weeds and Grass Ordinance Article III Section 22-121. (15 minutes)

Staff spoke concerning the need to amend Article III, Section 22-121 to include a 50-foot buffer. Stated the property owners who do agricultural cultivation could be contacted for their opinions.

Council stated a 50-foot buffer might diminish acreage on property. Requested communication with those property owners who cultivate their properties and those residents whose properties are adjacent to these properties. Voiced concerns with ways to distinguish between the upfront aesthetics part of the properties and the side and the back of the properties that might not be an issue.

Stated a map would be created to show the properties with safety and fire control issues.

**4. DISCUSS CONSENT AGENDA ITEMS**

No items were removed from the Consent Agenda to be considered individually.

**CONVENE INTO THE COUNCIL CHAMBERS (7:30 P.M.)**

Convened into the Council Chambers at 7:30 p.m.

**5. INVOCATION**

The invocation was led by Reverend Kent Cox, Crossroads Baptist Church.

**6. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by City Manager Lynda Humble.

**7. TEXAS PLEDGE OF ALLEGIANCE**

The Texas Pledge of Allegiance was led by Councilmember Kilgore.

**8. PRESENTATIONS AND PROCLAMATIONS**

**8A. Proclamation recognizing Nathan Baldwin for achieving the rank of Eagle Scout.**

This item will be presented at the March 16, 2010 City Council meeting.

**8B. Hear presentation of the Monthly Financial report for the period ending January 31, 2010.**

Staff gave a brief presentation regarding the Monthly Financial Report for the period ending January 31, 2010.

**8C. Update from the Mayor: Financial Position, Major Projects, Operational Issues, Upcoming Dates of Interest, and Items of Community Interests.**

Mayor Pro Tem Maggiotto gave a brief update to the Council on the various activities in the City including the locating and removing of the coyotes in the Nature Trail, the second place award to the CERT team and the Explorers for their participation in the Harris County CERT Rodeo, the Eggstraordinary Egg Hunt on March 27<sup>th</sup> in the lawn in front of City Hall and the Library, the

Rowlett Job Fair on April 8<sup>th</sup> at the Community Centre, the Aldi Ribbon Cutting Ceremony on April 20<sup>th</sup> and the first Rowlett Diversity Day event on April 24<sup>th</sup> at the Community Centre.

Lynda Humble, City Manager, briefly spoke regarding the Hinton Landfill and the testing of the air quality at the landfill.

**9. CITIZENS' INPUT**

No one spoke during Citizens' Input.

**10. CONSENT AGENDA**

No items were removed from the Consent Agenda to be considered individually.

City Secretary read the items into the record.

- 10A.** Consider approving minutes from the February 16, 2010 Regular Council Meeting and the February 23, 2010 Special Council Meeting.

**This item was approved on the Consent Agenda.**

- 10B.** Consider an ordinance adopting and enacting Supplement Number 8, Volume I and Volume II, dated January, 2010 to the Code of Ordinances.

**This item was approved as ORD-002-10 on the Consent Agenda.**

- 10C.** Consider approving a joint election contract with Dallas County for the May 8, 2010 and the possible June 12, 2010 run-off elections.

**This item was approved as CON-001-10 on the Consent Agenda.**

- 10D.** Consider an ordinance amending the Fiscal Year 2009-2010 Budget.

**This item was approved as ORD-003-10 on the Consent Agenda.**

- 10E.** Consider a resolution to ratify Change Order Number 3 to the contract with Tiseo Paving Company to relocate an existing 12-inch water line in the amount of twenty-seven thousand five hundred dollars and no cents (\$27,500.00).

**This item was approved as RES-013-10 on the Consent Agenda.**

**Passed The Consent Agenda**

**A motion was made by Councilmember Phillips, seconded by Councilmember Rushing, including all the preceding items marked as having been approved on the Consent Agenda. The motion carried by the following vote:**

**Ayes: 5 – Mayor Pro Tem Maggiotto, Councilmember Phillips, Councilmember Rushing, Councilmember Jackson, and Councilmember Kilgore**

**Absent: 2 – Mayor Harper and Deputy Mayor Pro Tem Gottel**

**11. ITEMS FOR INDIVIDUAL CONSIDERATION**

Mayor Pro Tem Maggiotto read the item into the record.

- 11A.** Conduct a public hearing and take appropriate action by approving an ordinance amending the Code of Ordinances, Subsection (2) of subpart (B) of Section 77-512 of Chapter 77 ("Development Code") on a request of the City of Rowlett to make text amendments to the Rowlett Development Code to allow additional signage for businesses affected by roadway construction.

Staff gave a brief presentation regarding this item.

The public hearing opened at 7:48 p.m. and closed at 7:51 p.m.

Councilmember Kilgore voiced concern regarding the charging of the businesses a sign fee permit of \$50 for their inconvenience. Suggested approving the ordinance as written except for adding an additional sentence to waive the fee for the businesses.

**A motion was made by Councilmember Kilgore, seconded by Councilmember Phillips, to approve the ordinance as proposed with the following revision. In paragraph B 2 (g), after the first full sentence, add the additional language "that in such instances, the sign permit fee shall be waived." This item was adopted as ORD-004-10. The motion carried by the following vote.**

**Ayes: 5 – Mayor Pro Tem Maggiotto, Councilmember Phillips, Councilmember Rushing, Councilmember Jackson, and Councilmember Kilgore**

**Absent: 2 – Mayor Harper and Deputy Mayor Pro Tem Gottel**

**TAKE ANY NECESSARY OR APPROPRIATE ACTION ON CLOSED/EXECUTIVE SESSION MATTERS**

No actions were taken following the Executive Session.

**12. ADJOURNMENT**

Mayor Pro Tem Maggiotto adjourned the meeting at 7:54 p.m.

  
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John Harper, Mayor

  
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Susie Quinn, City Secretary

Date Approved: March 16, 2010